



US Army Corps
of Engineers
Alaska District

Regulatory Division (1145)
CEPOA-RD-NF
3437 Airport Way, Suite 206
Fairbanks, Alaska 99709-4777

Public Notice of Application for Permit

PUBLIC NOTICE DATE: April 19, 2007

EXPIRATION DATE: May 18, 2007

REFERENCE NUMBER: POA-1994-322-4

WATERWAY: Chena-Badger Slough

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

APPLICANT: Mr. Richard M. Staley, Post Office Box 55882, North Pole, Alaska 99705, (907) 488-2275

LOCATION: The project site is located in Section 30, T. 1 S., R. 2 E., Fairbanks Meridian; USGS Quad Map Fairbanks D-1 (SW); Latitude 64.7929° N., Longitude -147.4341° W.; Tax Lots 3005, 3006, and 3008, near North Pole, Alaska.

PURPOSE: The applicant's stated purpose is to construct a 59-lot residential subdivision and associated infrastructure, including an on-site gravel source.

PROPOSED WORK: Mechanically clear 25.1 acres of waters of the United States, wetlands, and discharge approximately 50,650 cubic yards (cy) of fill into 16.5 of those acres for the construction of roads, driveways, house pads, septic mounds, and a gravel pit. All work would be according to the attached plans, sheets 1-14, dated April 16, 2007.

ADDITIONAL INFORMATION: The project would be constructed in two phases. All roads would be constructed during Phase I, along with 41 lots and about two-thirds of the gravel pit (sheet 2). Phase II would complete the development of 18 lots. There are three lot sizes and two lot development designs: 975 - 1,110 cy of fill would be discharged into 0.26 - 0.27 acres per lot (sheets 3, 4, and 5). House pads would be excavated and backfilled, with fill sloped over a 20-foot distance on all sides of the structure for drainage (sheets 6 and 7). Roads would be 33 feet wide at the toe along their entire lengths (sheet 11). The gravel pit would be constructed incrementally from west to east; the final pit would be 120'W x 1,600'L (sheets 12, 13, and 14).

For the entire project, wetland impacts would include:

- 33,700 cy of fill discharged into 8.5 acres of wetlands for house pads
- 2,850 cy of fill discharged into 1.2 acres of wetlands for driveways
- 5,400 cy of fill discharged into 0.8 acres of wetlands for septic systems
- 8,700 cy of fill discharged into 2.7 acres of wetlands for roads
- 61,000 cy of material removed from 3.3 acres of wetlands to develop the gravel pit

Mechanized land clearing would extend beyond fill limits on lots, roads, and the gravel pit. For each lot, either a 125'W x 125'W area or a 110'W x 150'L area would

be mechanically cleared, dependent on lot configuration (sheets 3, 4, and 5). For the entire subdivision, 15.7 acres of wetlands would be cleared for lots and driveways, of which 10.5 acres would be filled. Road rights-of-way would be cleared along their entire 50-foot widths, thus impacting 4.1 acres of wetlands of which 2.6 acres would be filled. About 30 feet of area on either side of the gravel pit would be mechanically cleared to allow room for temporary gravel stockpiles, the location of which would move west to east as the pit is being developed. The total area of mechanized land clearing for the pit would be 4.96 acres.

MITIGATION: The applicant has proposed the following mitigation measures to reduce impacts to the aquatic environment:

- Wetlands would be completely avoided on Lot 6 Block D, Lot 3 Block C, Lots 26 and 27 Block B, and Lot 7 Block A.
- Wetlands would be avoided to the maximum extent practicable on 14 lots that contain both upland and wetland areas.
- All temporary silt and organic stockpiles would be located entirely in uplands.
- Temporary access roads to the gravel pit would be located entirely in uplands.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area. Preliminarily, the described activity will not affect threatened or endangered species, or modify their designated critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS). Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Preliminarily, the described activity will not affect EFH in the project area. This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations they may have concerning EFH will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their

participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Sharon Seim by phone at (907) 474-2166 or by email at Sharon.G.Seim@poa02.usace.army.mil, if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:
(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings and Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

Enclosures

District Commander
U.S. Army, Corps of Engineers

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

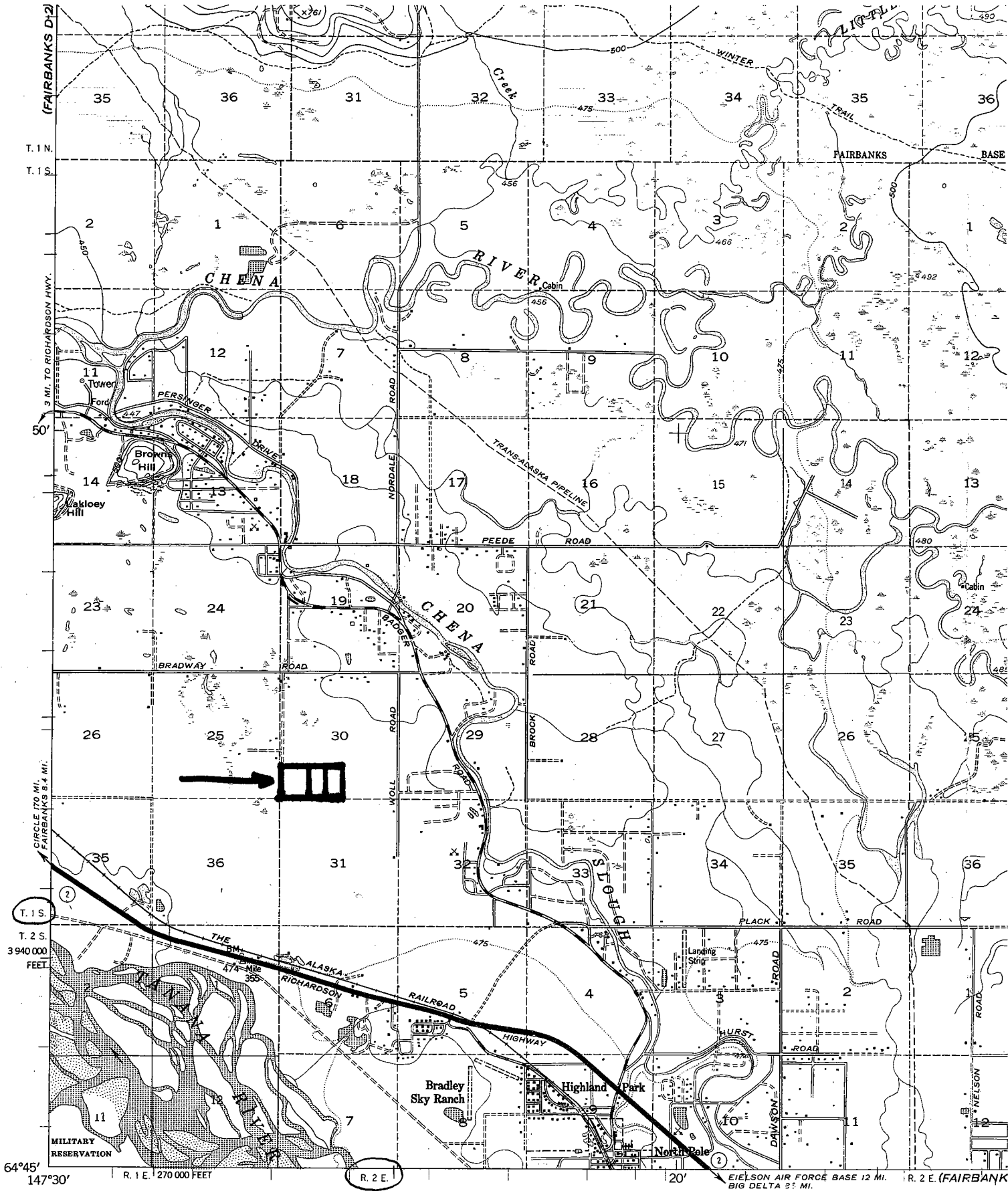
NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

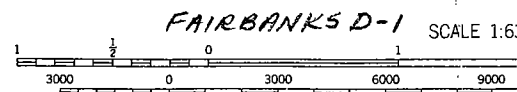
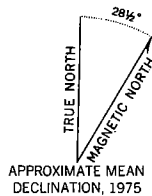
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-1994-322-4, Chena-Badger Slough, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.



Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography by photogrammetric methods from aerial photographs
taken 1949. Map not field checked
Universal Transverse Mercator projection, 1927 North American datum
10,000-foot grid based on Alaska coordinate system, zone 3
1000-meter Universal Transverse Mercator grid ticks,
zone 6, shown in blue
Land lines printed in gray represent unsurveyed and
unmarked locations predetermined by the Bureau of
Land Management. Folios F-7, F-9, Fairbanks Meridian
Dashed red land lines indicate approximate locations



Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

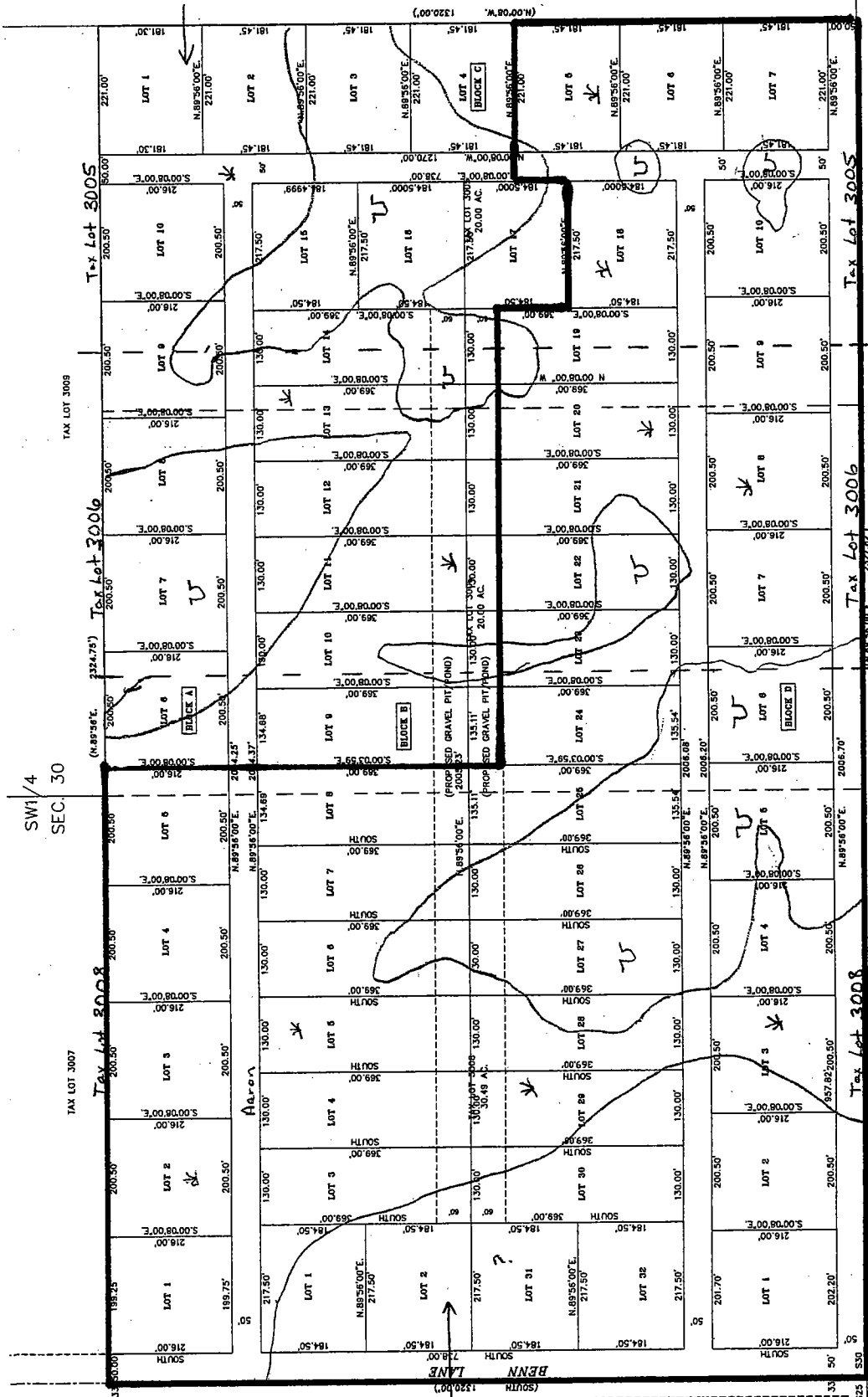
Project Location

1" = 1 mile

Page 1 of 14

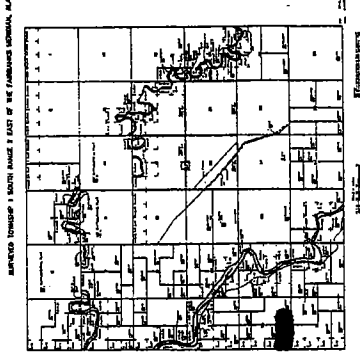
Revision shown in purple compiled from aerial photograph

Phase II

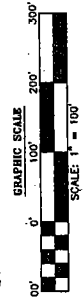


Richard Staley
Aaron's Estates
plan view of subdivision
Sec. 30, T15 R2E Fm
Tax Lots 3008, 3006, 3005
Page 6

DATE	DESCRIPTION
10/1/07	1st
10/1/07	2nd
10/1/07	3rd
10/1/07	4th
10/1/07	5th
10/1/07	6th
10/1/07	7th
10/1/07	8th
10/1/07	9th
10/1/07	10th
10/1/07	11th
10/1/07	12th
10/1/07	13th
10/1/07	14th
10/1/07	15th
10/1/07	16th
10/1/07	17th
10/1/07	18th
10/1/07	19th
10/1/07	20th
10/1/07	21st
10/1/07	22nd
10/1/07	23rd
10/1/07	24th
10/1/07	25th
10/1/07	26th
10/1/07	27th
10/1/07	28th
10/1/07	29th
10/1/07	30th



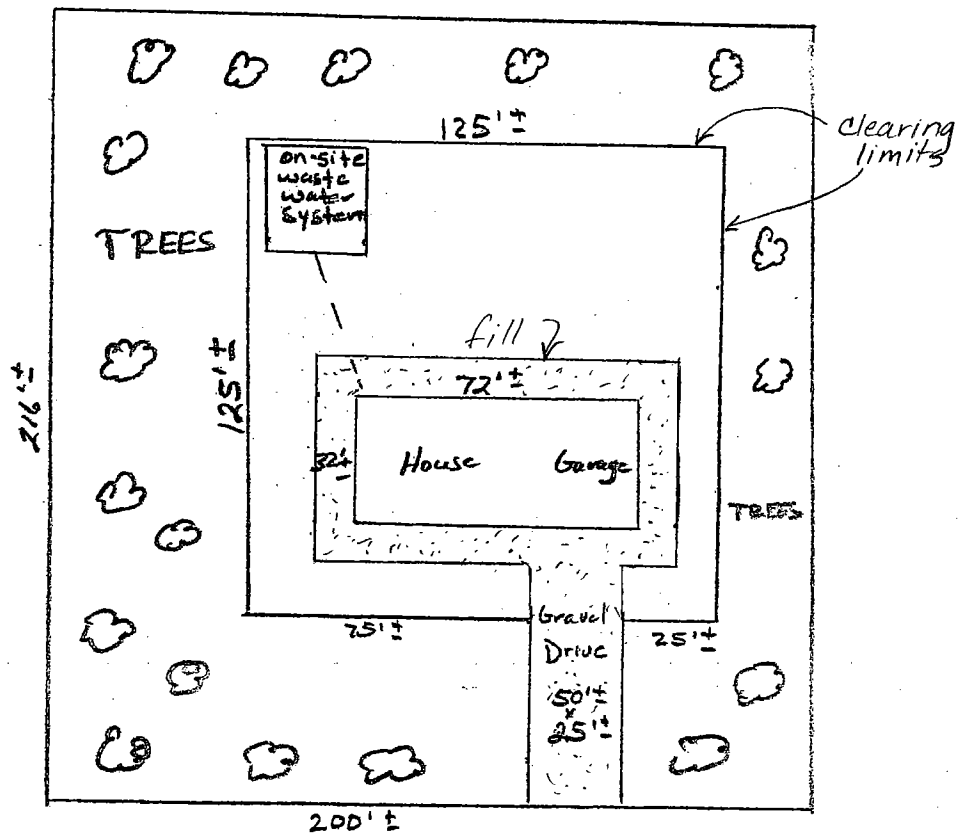
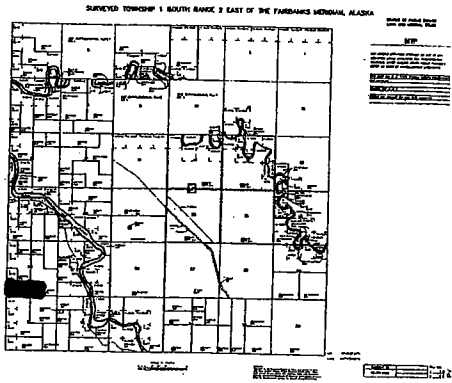
As per conversation with Sharon Seim on 4-2-07 area in question needing field determination is being considered with hand in the permit request



LOT	SUMMARY
1	1st
2	2nd
3	3rd
4	4th
5	5th
6	6th
7	7th
8	8th
9	9th
10	10th
11	11th
12	12th
13	13th
14	14th
15	15th
16	16th
17	17th
18	18th
19	19th
20	20th
21	21st
22	22nd
23	23rd
24	24th
25	25th
26	26th
27	27th
28	28th
29	29th
30	30th

Phase I

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim



Richard Staley
Havon's Estates
Sec 30 T1S R2E FM

Richard M. Staley

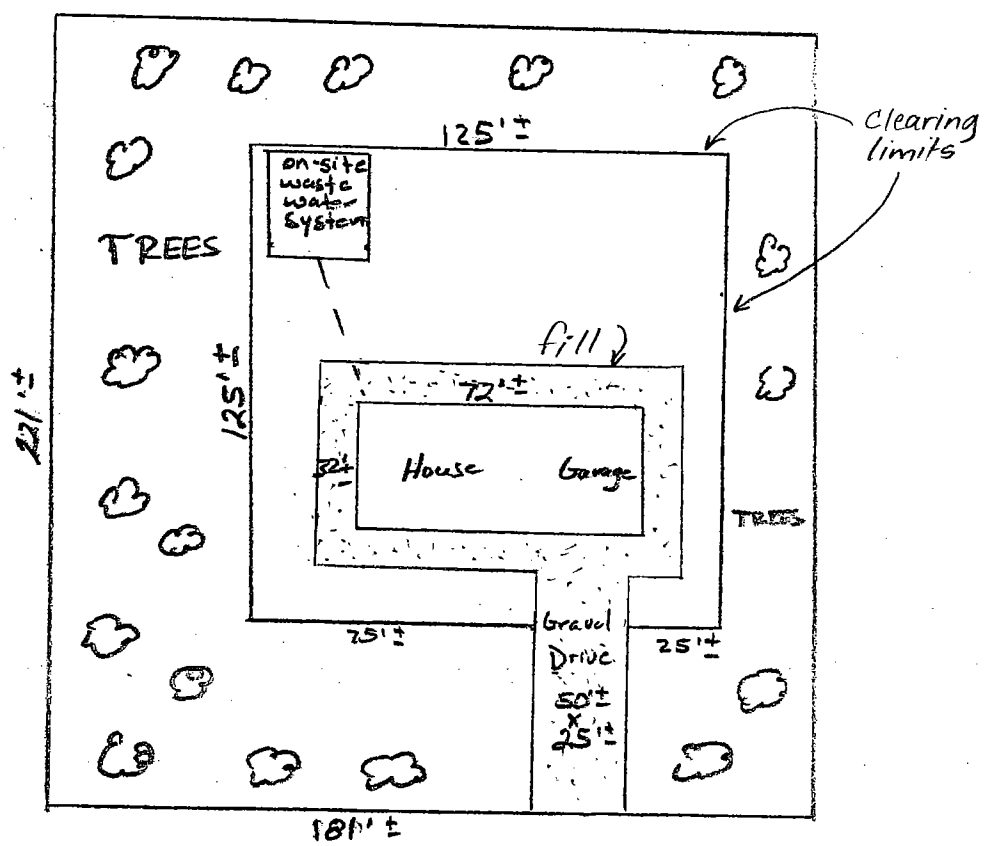
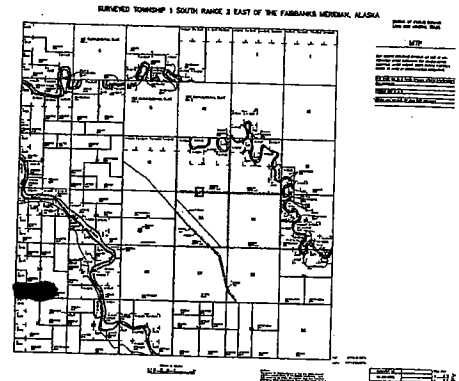
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

Plan View Typical 200' x 216' Lot $\frac{1}{4}" = 25'$ scale

Typical 200' x 216' Lot

1" = 100 feet

Page 3 of 14

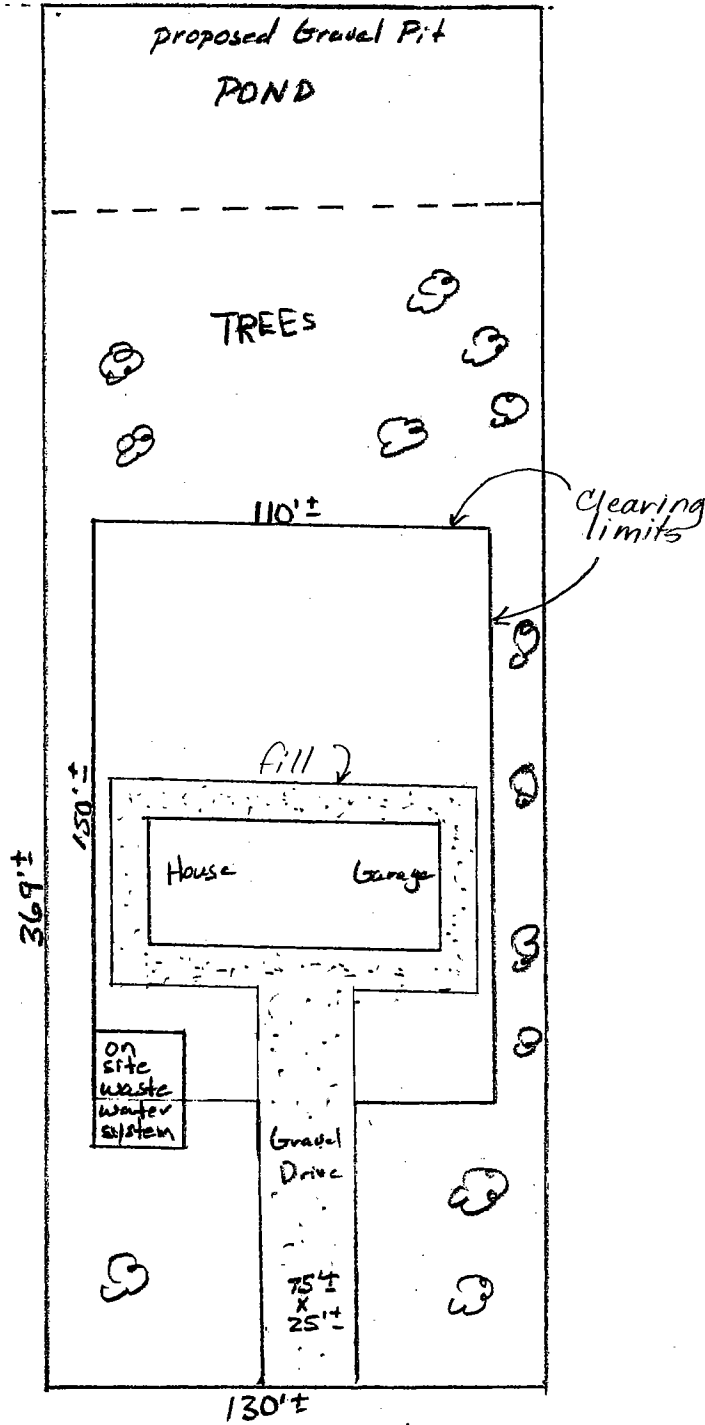
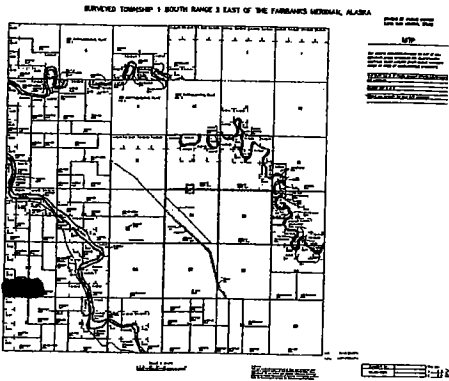


Richard Staley
Havron's Estates
Sec 30 T15 R2E FM

Plan View Typical 221'± x 181'± Lot 1/4" = 25' scale

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

Typical 221' x 181' Lot
1" = 100 feet
Page 4 of 14

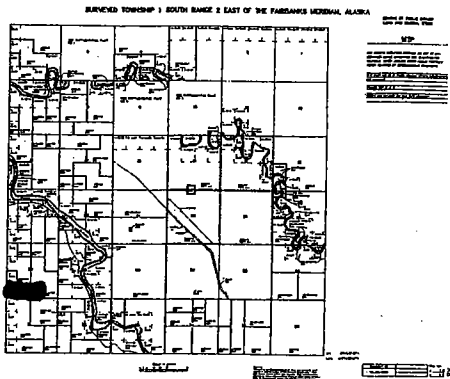


Richard Staley
Aaron's Estates
Sec 30 T1S R2E F.M

Plan View Typical 130'± x 369'± 1/4" = 25' scale

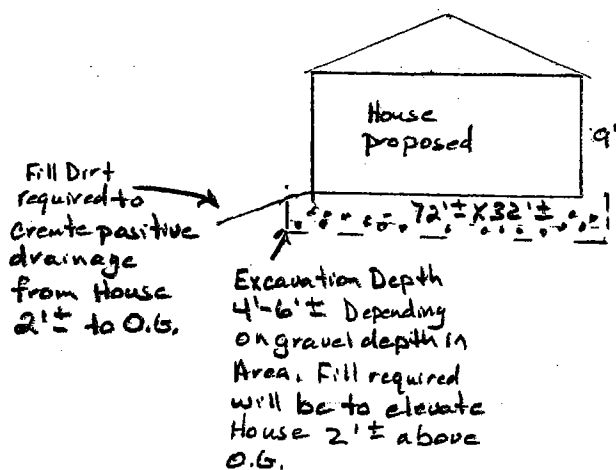
Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

Typical 130' x 369' Lot
1" = 100 feet



* Fill Dirt to grade away from House for positive Drainage

* Gravel to be used as needed under House structure
Estimate 600 cu yds \pm per House including Gravel inside of Garage foundation for slab floor



* Entire 70 Acres is Flat with no sloughs, or HTL's or streams grade will be 2' \pm above O.G.

Excavation For House pad
8' wider than House
80' \pm x 40' \pm
House shown is largest proposed structure on site.

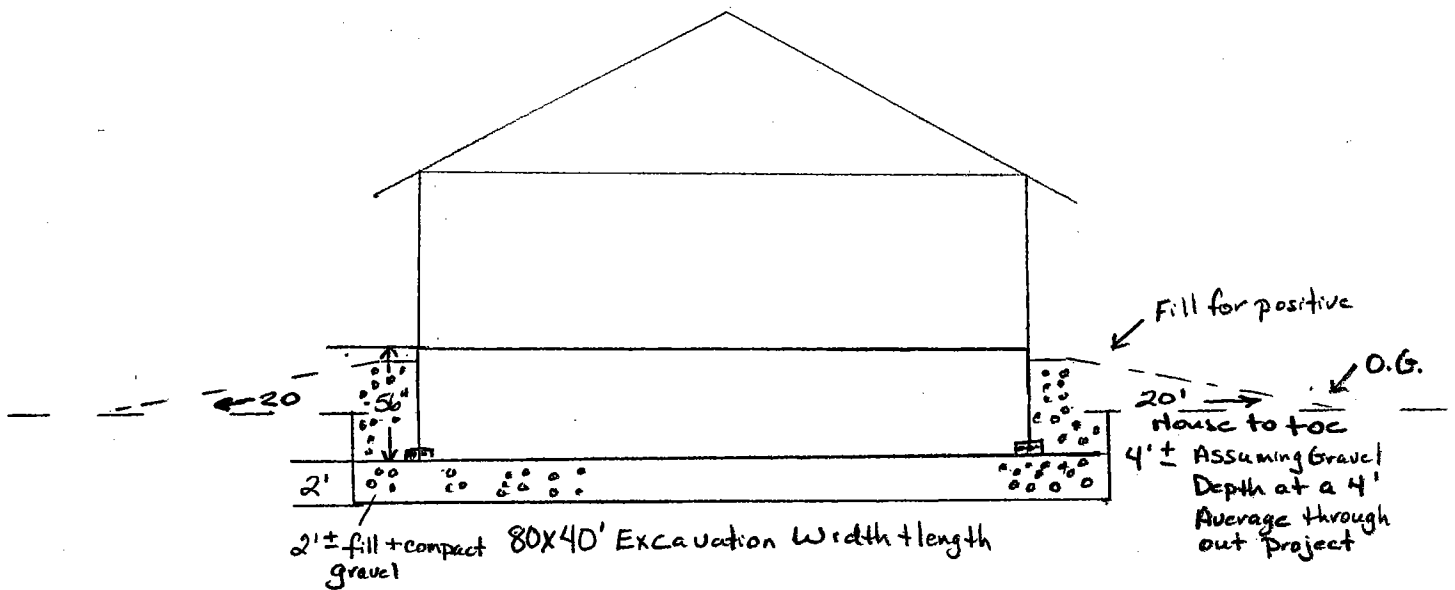
Richard Staley
Aaron's Estates
Sec 30 T1S R2E F.M

Elevation View for All House

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

House Pad Information
NTS

Page 6 of 14



* 475± cu yds of gravel fill
for House pad, gravel around
perimeter and backfill
inside of garage to bring up
to concrete grade

* 400± cu yds of fill dirt
to slope away from house
for positive drainage

Richard Staley
Aaron's Estates
Sec 30 T1S R2E FM

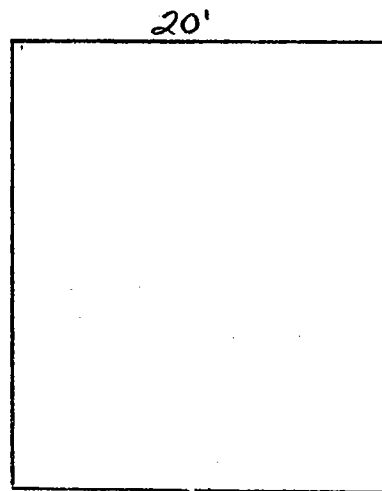
Section View of House pad scale 1" = 10'

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

House Pad Section & Details

1" = 10 feet

Page 7 of 14



← Typical leach system
460 sq ft of leach
Rock 2' ± below
23' O.G.

* Dimensions could
vary for 3 bedroom
house 460 sq ft ±
will be typical

← Excavation
for Septic
Tank

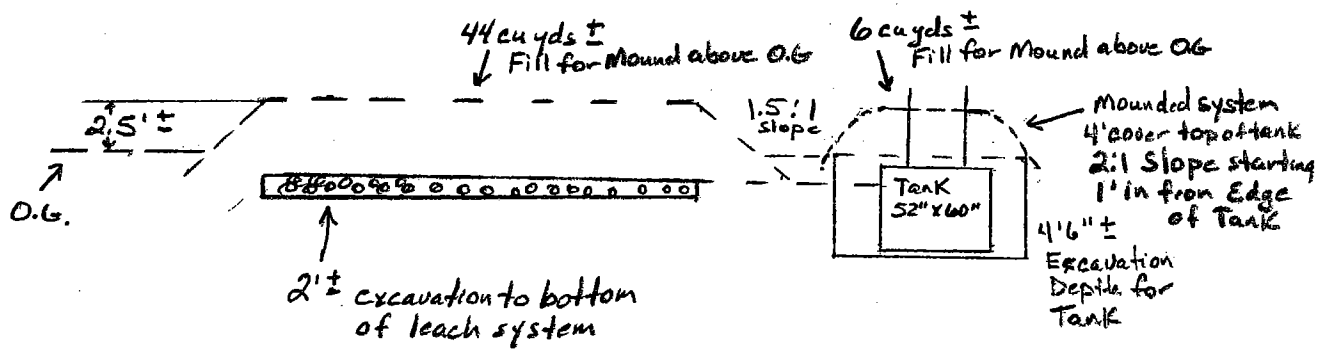
← 2'
Trench to
house

Richard Staley
Aaron's Estates
Sec 30 T15 R2E F.M

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

Typical Plan View of Waste-Water System
Scale 1" = 10 ft

Wastewater Plan
1" = 10 feet



Richard Staley
Aaron's Estates
Sec 30 T1S R2E F.M

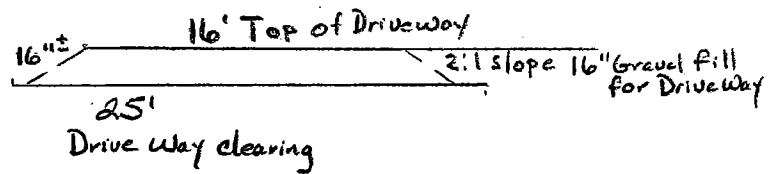
Typical Section View of Waste Water System
scale 1" = 10 ft

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

Wastewater Section

1" = 10 feet

Page 9 of 14



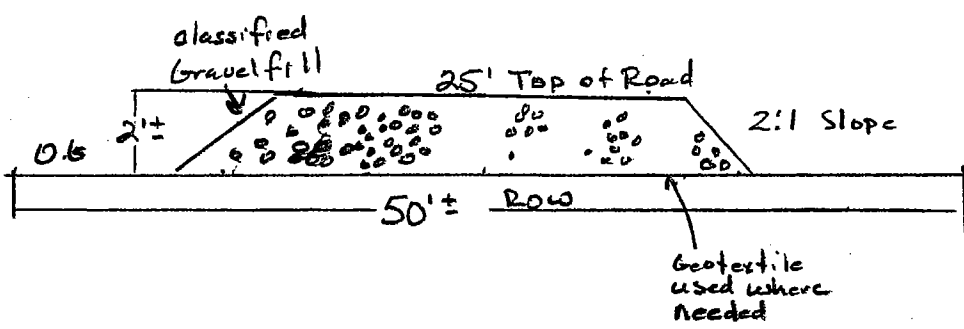
* 94 cu yds \pm
Gravel fill for
Drive ways

Richard Staley
Aaron's Estate
Sec 30 T1S R2E F.M

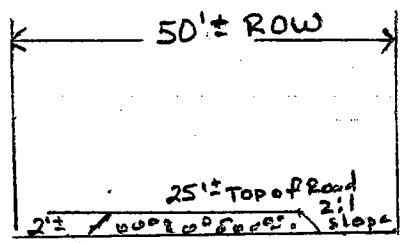
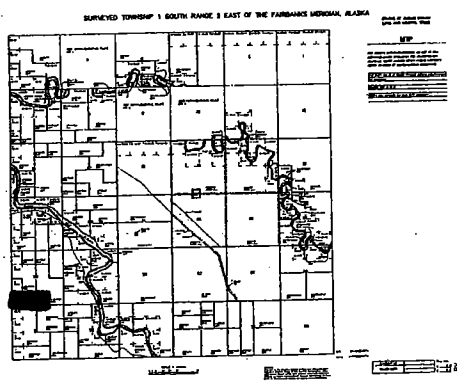
Typical Section View of Driveway scale 1" = 5'

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

Driveway Section
1" = 5 feet



Scale 1" = 10' Section for Roadway



* R.O.W to be 0.6 after clearing and seeded for erosion control.

Toe of slope width 29'±

* Gravel fill to be used to build Roadway
2'± Fill needed for Roadway
25'± Top of Road
29'± Toe of slope with a 2:1 slope

Richard Staley
Aaron's Estates
Sec 30 T1S R2E F.M

Typical Section for Roadway fill scale 1" = 25'

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

SW1/4
SEC. 30

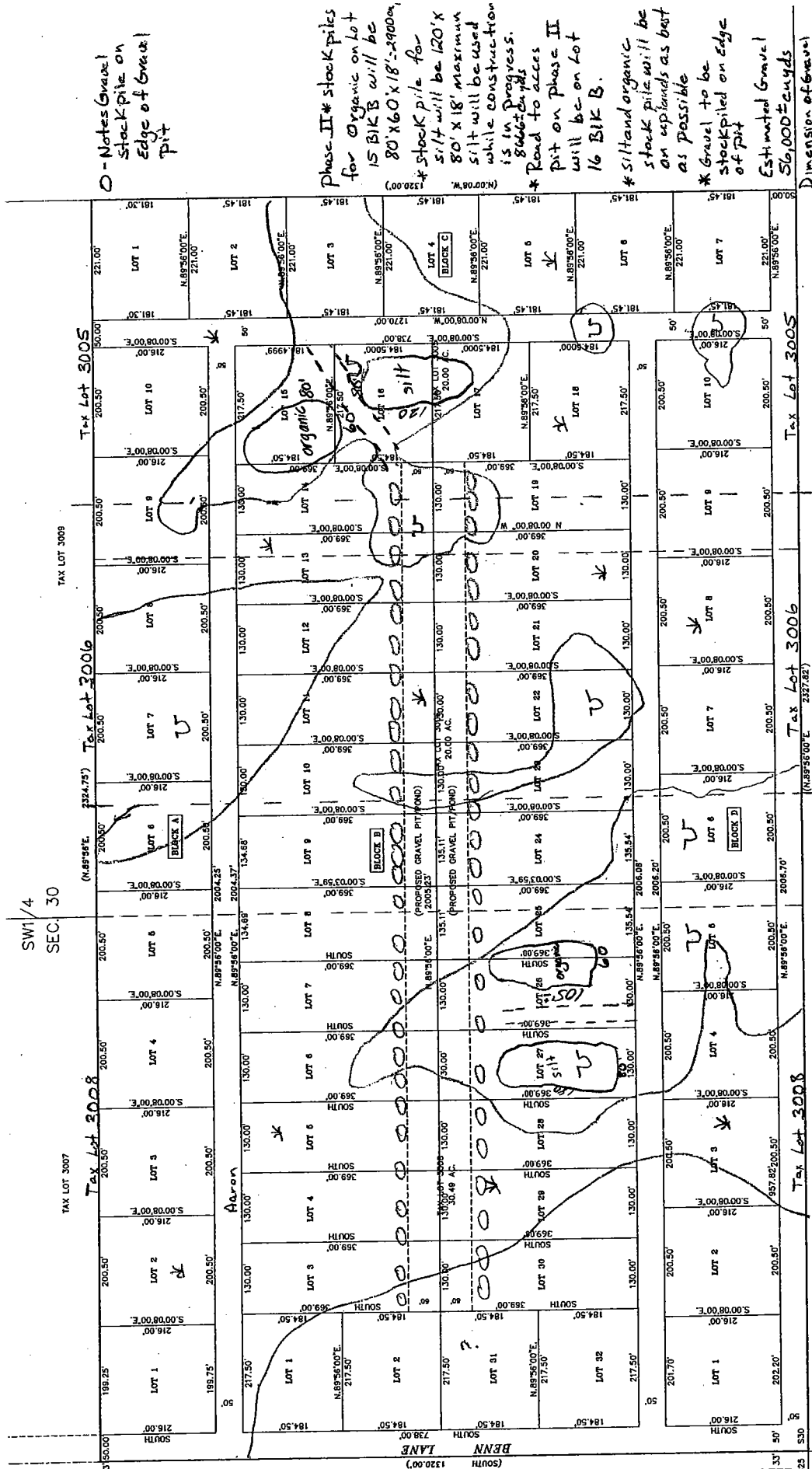
TAX LOT 3007

Tax Lot 3008

Tax Lot 3006

Tax Lot 3005

TAX LOT 3009



1st phase
* Silt Stockpile 180' ± x 80' ± x 18' ± 9600 ± sq yds. Silt will be used on-site as pit is being developed. This will be a maximum figure.
* Road to stockpile off East Road through Lot 26 BIK B.
* Organic stockpile 105' ± x 60' ± x 18' ± 4200 ± sq yds this will be maximum organic to reclaim shallow slopes for phase I.



LOT SUMMARY
56 LOTS

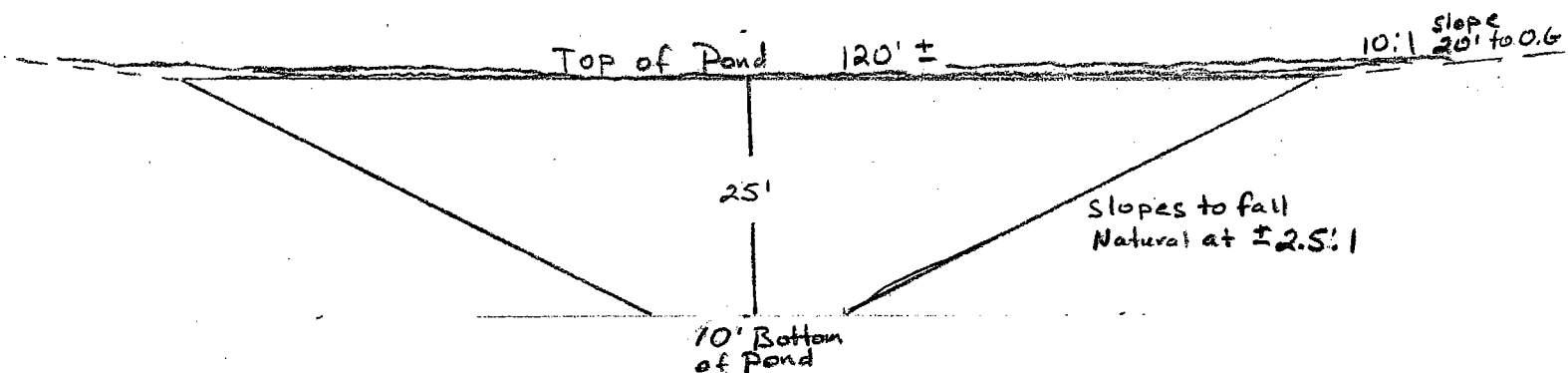
Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

- * Pit Dimension 1600' \pm length x 120' \pm wide
Depth of pit 25' \pm

Pit size could be smaller depending on Gravel needs. Pit could increase in size by 40' in length depending on Gravel needs

- * Approx 76,000 yards of material will be excavated for organic, silt, and gravel needs
- * Stockpiles for 1st phase of silt and organic will be stored on Lots 25, 26, 27 BIK B in upland areas see map
- * Road to access pit will be on lots 26 or 27 BIK B
- * Gravel stockpile will have to lay on pit banks due to bailing drainage will drain back to pit
- * Clearing Limits will be 30' \pm on each side of pit for Gravel stockpiles
- * 2nd phase stockpile for organic + silt will be placed as best as possible on Lots 15, 16, 17 BIK B on uplands
- * 2nd phase road will be built on Lot 16 BIK B

- * Location of pit will be in center of Block "B" See map.



Richard Staley
Aaron's Estates
Sec 30 T1S R2E F.M

Section View of Gravel pit Scale 1" = 20'

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

Gravel Pit Section & Details

1" = 20 feet

Page 13 of 14

○ - Notes Gravel stock pile along both sides of pit. Pit Dimension $1580' \pm \times 120' \pm \times 25' \pm$ with 2.5:1 Natural slope.

○ - Notes Organic and silt stock piles - phase I silt stockpile $180' \pm \times 80' \pm \times 18' \pm$ for 9600 cu yds this pile may stay smaller as silt will be used on site as construction is on going - phase I organic stockpile $105' \pm \times 60' \pm \times 18' \pm$ for 4200 cu yds \pm this pile will be used to reclaim 10:1 slopes into pit - Gravel stock pile will be along edges of pit $1580' \pm \times 28' \pm \times 18' \pm$ lots 25, 26, 27, 28 BIK B uplands will be used for Organic + Silt stockpile. Lot 26 BIK B to be used for Temporary road to access Gravel pit. Phase II organic stockpile dimensions $80' \pm \times 60' \pm \times 18' \pm$ and silt stockpile dimensions $120' \pm \times 80' \pm \times 18' \pm$ organics = 2888 cu yds \pm silt = 8666 cu yds \pm Gravel from pit = 56,000 cu yds \pm both phases Road access to pit on phase II will be on Lot 16 BIK B

Richard Staley
Aaron's Estates
Sec 30 T15 R2E F.M

Pit Plan Notes

Richard M. Staley
POA-1994-322-4, Chena-Badger Slough
Plans prepared: Apr. 16, 2007, by S. Seim

Narrative